

Montana Board of Outfitters- Full Board Meeting-CONFERENCE CALL

301 S. Park Avenue, Helena MT 4th Floor Large Conference Room

June 22, 2021

7:01 A.M. to 8:41 A.M.

Due to the COVID-19 health emergency, all board meetings will be held by conference call. No outside participants or stakeholders will be allowed access in the building. Please attend by phone

1. **Call to Order – Establish Quorum – Introduction of Board & Staff Members Present**
Board Members Present: (00:00:10)

Mr. John Way, Presiding Officer, called the meeting to order at 7:01 a.m.

Board Members Present:

Mr. John Way, Presiding Officer, Industry Member
Mr. Matt Greemore, Vice Chair, Industry Member
Mr. Rob Arnaud, Industry Member
Ms. Chris Gentry, Public Member
Mr. Wagner Harmon, Industry Member

Staff Present:

Mr. Dylan Gallagher, Board Counsel
Mr. Steve Gallus, Executive Officer
Mr. Todd Younkin, DLI BSD Administrator
Ms. Barb McAlmond, Administrative Specialist

Others Present:

Mr. Mac Minard
Mr. Mike Bias
Mr. Pat Tabor
Mr. Scott Vollmer

2. **Approval and Tentative Modification of Agenda Order (00:01:23)**
 - a. 21 06 22 FB Agenda
Motion: (00:01:30) Mr. John Way moved to approve the agenda as presented and to do the Division Update when Mr. Younkin arrives at the meeting.
Mr. Matt Greemore seconded the motion. The motion carried.

3. Tentative Modification of Minutes (00:02:35)

- a. June 16, 2021 Full Board Meeting

4. Division Update- Todd Younkin Division Administrator (00:05:35)

5. Public Opportunity to Comment (00:04:45)

6. Board Action (00:12:59)

a. Rulemaking directly responding to Senate Bill 275 (00: 13:47)

- i. Discussion and possible motions regarding **24.171.408 OUTFITTER RECORDS**
- ii. Discussion and possible motions regarding **24.171.502 OUTFITTER QUALIFICATIONS**
- iii. Discussion and possible motions regarding **24.171.509 INSURANCE FOR OUTFITTERS**
- iv. Discussion and possible motions regarding **24.171.520 OPERATIONS PLANS AND AMENDMENTS**
- v. Discussion and possible motions regarding **24.171.2101 RENEWALS**

Motion: (00:13:49) Mr. Rob Arnaud moved to adopt for public comment the revised rule package related to Senate Bill 275 provided by MOGA and FOAM in an addendum emailed to the and board members by staff on June 21, 2021 which includes recommendations for changes to 24.171.408 OUTFITTER RECORDS, 24.171.502 OUTFITTER QUALIFICATIONS, 24.171.509 INSURANCE FOR OUTFITTERS, 24.171.520 OPERATIONS PLANS AND AMENDMENTS, and 24.171.2101 RENEWALS as proposed. Mr. Matt Greemore seconded the motion.

Motion: (00:31:53) Mr. John Way moved to amend Mr. Rob Arnaud's motion to remove 24.171.502 OUTFITTER QUALIFICATIONS from this rule package and place in the next rule package. Mr. Matt Greemore seconded the motion.

Motion: (00:45:27) Mr. John Way moved to table his motion for the amendment to Mr. Arnaud's motion. Mr. Rob Arnaud seconded the motion. The motion carried.

Motion: (00:59:27) Mr. Rob Arnaud asked to call for question and vote on his original motion. The motion carried.

- vi. Discussion and possible motions related to small business impact determinations related to proposed rule amendments. **(01:30:10)**

Motion: (01:31:10) Mr. John Way moved the adoption of these rules will not have a direct and significant impact on Montana small businesses. Mr. Matt Greemore seconded the motion. The motion carried.

b. Rulemaking related to program enhancements (01:00:18)

- i. Discussion and possible motions regarding **24.171.401 FEES**
- ii. Discussion and possible motions regarding **24.171.410 OUTFITTER'S ASSISTANTS**
- iii. Discussion and possible motions regarding **24.171.412 SAFETY AND FIRST AID PROVISIONS**
- iv. Discussion and possible motions regarding **24.171.501 APPLICATION FOR OUTFITTER LICENSE**

- v. Discussion and possible motions regarding **24.171.505 FISHING OUTFITTER OPERATIONS PLAN**
- vi. Discussion and possible motions regarding **24.171.513 OUTFITTER ACTING AS GUIDE**
- vii. Discussion and possible motions regarding **24.171.701 NCHU CATEGORIES, TRANSFERS, AND RECORDS**
- viii. Discussion and possible motions regarding **24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**
- ix. Discussion and possible motions regarding **24.171.2305 WEB SITE POSTING OF LICENSE DISCIPLINE**

Motion: (01:00:32) Mr. Rob Arnaud moved to adopt for public comment the revised rule package related to program enhancements provided by MOGA and FOAM in the addendum emailed to the board members by staff on June 21, 2021 which include recommendations for changes to 24.171.401 FEES, 24.171.410 OUTFITTER'S ASSISTANTS, 24.171.412 SAFETY AND FIRST AID PROVISIONS, 24.171.501 APPLICATION FOR OUTFITTER LICENSE, 24.171.502 OUTFITTER QUALIFICATIONS, 24.171.505 FISHING OUTFITTER OPERATIONS PLAN, 24.171.509 INSURANCE FOR OUTFITTERS, 24.171.513 OUTFITTER ACTING AS A GUIDE, 24.171.701 NCHU CATEGORIES, TRANSFERS AND RECORDS, 24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT, 24.171.2305 WEB SITE POSTING OF LICENSE DISCIPLINE. Mr. Harmon Wagner seconded the motion.

Motion: (01:03:50) Mr. Rob Arnaud moved to amend his motion to remove 24.171.502 OUTFITTER QUALIFICATIONS from his original motion as this was voted on in the previous agenda item. Mr. Harmon Wagner seconded the motion.

Motion: (01:28:32) Mr. John Way moved to amend the previous motion to change 24.171.412 (2)(a) to add the word "or" to read : "The provider must require written and/or practical tests and participants are to receive completion certificates. Mr. Harmon seconded the motion. The motion carried.

- x. Discussion and possible motions related to small business impact determinations related to proposed rule amendments.

Motion: (01:30:27) Mr. John Way moved the adoption of these rules will not have a direct and significant impact on Montana small businesses. Mr. Matt Greemore seconded the motion. The motion carried.

7. Adjourn (01:41:04) Mr. John Way adjourned the meeting at 8:41 a.m.

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